

6/3/04, 9:17 am
P:\PROCEDUR\APP-PROC\appman2\AP-J-FX 06-03-04 loan app.wpd
(Rev: 9/11/03)

APPENDIX J

LOAN APPLICATION (Sample)

**APPLICATION FOR STATE REVOLVING FUND LOAN
for the Construction of Drinking Water Facilities**

A completed application must be submitted for each proposed project. If any information requested in this application was previously submitted for a prior loan or grant project, please indicate the project number in the space provided. Provide supporting documentation or additional pages as appropriate.

I. ORGANIZATIONAL DATA

Applicant Name: _____

Address: _____

Contact person: _____

Telephone number: _____

II. PROJECT NAME AND DESCRIPTION

Project Name: _____

Description: _____

Need for Project: _____

III. PROJECT COSTS

Attach the engineer's estimate of total project costs, if it differs from the estimate submitted with the planning and design documents.

_____ Estimated Total Project Costs

Proposed method of financing:

_____ SRF Loan Requested

Amount and source of all other revenue:

IV. PROJECT SCHEDULE DATES

_____ Advertise for construction bids
_____ Open construction bids
_____ Negotiate A/E agreement(s)
_____ Award construction and/or A/E contracts
_____ Issue Notice to Proceed
_____ Complete construction

V. RELATED PROJECTS

List all related projects which must be constructed in order to fully utilize the subject project. Also, list the anticipated dates these projects will be constructed.

VI. REQUIRED DOCUMENTS AND FORMS

Note: Documents and forms **MUST** be completed and submitted to DOH before the execution of the final agreement.

1. If completed, attach the documents listed below.
 - a. A written approval by the Board or Commission which authorizes the SRF loan application and identifies the dedicated source(s) of revenue (i.e., general obligation with full credit) which will fund the project and repayment of the loan with interest.

- b. An opinion signed by a competent title counsel describing the interest the applicant has in the site, including information about any easements and right-of-ways, and certifying that interest is legal and valid. The opinion should also include information as to whether or not:
 - 1) The applicant (or the present owner if fee simple title has not been, or is not to be, acquired) has good and valid title to the entire site (excluding easements and right-of-ways) free and clear of any pre-existing mortgages, deeds of trust, liens, or other encumbrances which would affect the value or site usefulness for the purpose intended;
 - 2) Any deeds or documents required to be recorded have been duly recorded or filed for record, whenever necessary, in order to protect the title of the owner and the interest of the applicant; and,
 - 3) The applicant has complied with the 1970 Uniform Relocation Assistance and Real Property Acquisition Policies Act, if necessary.
 - d. Any inter-governmental or County-private agreements relative to this project.
- *2. For federally-funded projects, complete the attached forms:
- *a. Compliance Report, (EPA form 4700-4); and,
 - *b. Applicant's Certification Regarding Debarment, Suspension, and Other Responsibility Matter (EPA form 5700-49).

VII. ASSURANCES

The applicant certifies that _____
(name of legal entity)

- 1. Has the legal, institutional, managerial and financial capability to ensure adequate construction, and operation and maintenance (including replacement) of the drinking water treatment works, and has analyzed the local share of the costs of the proposed drinking water treatment facilities, including the financial impact on each community and the residents of the service areas; and,

2. Will operate and maintain the publicly-owned treatment works in accordance with the minimum standards as required by the cognizant Federal, State and local agencies for the operation and maintenance of such facilities; and,
3. Will initiate procurement action for A/E and/or construction services for building all significant elements of the project in accordance with the project schedule indicated in this application and approved by DOH upon issuance of the loan agreement; and,
4. Will diligently pursue project completion in accordance with the project schedule submitted herewith; and,
5. Will give the State of Hawaii or its assignees, through any authorized representative, access and the right to examine all records, books, papers, or documents related to the loan; and will retain all construction records for three years following the project initiation of operation; and,
6. Will maintain a financial accounting system in accordance with the generally accepted accounting principles set forth by the Governmental Accounting Standards Board; and,
7. Will not dispose of, or modify the use of or change the real property title terms or other interest in the site and facilities without permission and instructions from DOH; and,
8. Will establish safeguards to prohibit employees from using their positions for purposes that constitute or give the appearance of personal or organizational conflict of interest; and,
9. Has not and will not violate any Federal, State, or local law pertaining to fraud, bribery, graft or collusion; and,
10. Will provide and maintain competent and adequate engineering supervision and inspection at the construction sites to ensure that the completed work conforms with the approved plans and specifications and will furnish progress reports and such other information as DOH may require; and,
11. Will comply with all applicable federal and state requirements, including all other laws, regulations, policies, applicable requirements and conditions relating to assistance for this project.

12. The applicant must certify that it will comply with the following federal "cross-cutting" authorities, including the Single Audit of 1984 (PL 98-502).

*a. Environmental Authorities

- *1) Archeological and Historic Preservation Act of 1974, Pub. L. 86-523, as amended (16 USC 461)
- *2) Clean Air Act, Pub. L. 84-159, as amended (42 USC 7401)
- *3) Coastal Barrier Resources Act, Pub. L. 97-348 (16 USC 3501)
- *4) Coastal Zone Management Act, Pub. L. 92-583, as amended (16 USC 1451)
- *5) Endangered Species Act, Pub. L. 93-205, as amended (16 USC 1531)
- *6) Environmental Justice, Executive Order 12898
- *7) Floodplain Management, Executive Order 11988 as amended by Executive Order 12148
- *8) Protection of Wetlands, Executive Order 11990
- *9) Farmland Protection Policy Act, Pub. L. 97-98 (7 USC 4201)
- *10) Fish and Wildlife Coordination Act, Pub. L. 85-624, as amended (16 USC 661)
- *11) National Historic Preservation Act of 1966, PL 89-665, as amended (16 USC 470)
- *12) Safe Drinking Water Act, Pub. L. 93-523, as amended (40 CFR Part 149 Subpart A)
- *13) Wild and Scenic Rivers Act, Pub. L. 90-542, as amended (16 USC 1271)

*b. Social Policy Authorities

- *1) Age Discrimination Act of 1975, Pub. L. 94-135
- *2) Title VI of the Civil Rights Act of 1964, Pub. L. 88-352 (The Civil Rights Act and related anti-discrimination statutes apply to all the operations fo the SRF program)

- *3) Section 13 of the Federal Water Pollution Control Act Amendments of 1972, Pub. L. 92-500 (the Clean Water Act)
- *4) Section 504 of the Rehabilitation Act of 1973, Pub. L. 93-112 (including Executive Orders 11914 and 11250)
- *5) Equal Employment Opportunity, Executive Order 11246
- *6) Women's and Minority Business Enterprise, Executive Orders 11625, 12138 and 12432
- *7) Section 129 of the Small Business Administration Reauthorization and Amendment Act of 1988, Pub. L. 100-590
- *c. Economic Policy Authorities
 - *1) Demonstration Cities and Metropolitan Development Act of 1966, Pub. L. 89-754, as amended, Executive Order 12372
 - *2) Procurement Prohibitions under Section 306 of the Clean Air Act and Section 508 of the Clean Water Act and the Federal Water Pollution Control Act with Respect to Federal Contracts, Grants or Loans
- *d. Miscellaneous Authorities
 - *1) Uniform Relocation and Real Property Acquisition Policies Act, Pub. L. 91-646, as amended
 - *2) Debarment and Suspension, Executive Order 12549

CERTIFICATION

To the best of my knowledge: the data in this application is true and correct, the document has been duly authorized by the governing body of the applicant and the applicant will comply with the assurances, if the assistance is approved.

Legal Entity	Name and Title of Authorized Representative
--------------	---

Signature of Authorized Representative

Date